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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,620	12/05/2001	Tony Brummel	310265.00048	5912
26710	7590	07/13/2006	EXAMINER BAUTISTA, XIOMARA L	
QUARLES & BRADY LLP 411 E. WISCONSIN AVENUE SUITE 2040 MILWAUKEE, WI 53202-4497			ART UNIT 2179	PAPER NUMBER

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/007,620

Applicant(s)

BRUMMEL ET AL.

Examiner

X. L. Bautista

Art Unit

2179

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 97-117 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 97-117 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 98 and 109 (line 3) are objected to because of the following informalities: "proving" should be changed to --providing--. Correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 97-117 are rejected under 35 U.S.C. 102(e) as being anticipated by *Sun et al* (US 2002/0022973 A1).**

Claims 97 and 108:

Sun discloses an electronic healthcare system having a graphical user interface, and a computer communicating with the interface (abstract; p. 2, par. 0021; p. 4, par. 0041). Sun teaches a database having patient medical information (p. 4, par. 0041; p. 7, par. 0065), and multiple software components for accessing patient information of the database (p. 6, par. 0057; p. 17, claim 18), a provider

program running on the electronic computer for receiving input from a user, review entered data and determine context data based on records being accessed; and initialize the software components according to the determined context data (p. 2, par. 0015, 0016; p. 3, par. 0022-0025; p. 5, par. 0052-0054, 0057).

Claims 98 and 109:

Sun teaches that users access different interfaces based on their role, each interface providing a distinct display and information tailored according to the user accessing the information (p. 3, par. 0022-0025).

Claims 99 and 111:

Sun teaches that authorized professional users can access the patient's information to review, add or modify patient information, or medical treatments (p. 2, par. 0015).

Claims 100, 106 and 112:

See claim 1. Sun teaches multiple software components to entering different data and for accessing different types of information (p. 4, par. 0043; p. 5, par. 0052, 0053; p. 6, par. 0057).

Claims 101, 102, 113 and 114:

Sun teaches patient records (p. 2, par. 0016) and patient identification number for each patient for accessing (record identifiers) the patient's records (p. 9, par. 0087-0090).

Claims 103 and 115:

Sun teaches an interface for entry, access and display of a plurality of information, such as activity programs for schedules, demographic data, clinical documentation, patient visits, orders, etc., (p. 2, par. 0018; p. 4, par. 0043; p. 5, par. 0044; p. 11, par. 0100; p. 12, par. 0114, 0117; p. 14, par. 0137).

Claims 104 and 116:

The patient's information can be reviewed to determine additional context data based on the context data extracted from the records (p. 9, par. 0080-0087; p. 10, par. 0088-0096; p. 11, par. 0097-0105).

Claims 105 and 117:

The system is configured to receive input from users and to provide additional context data (p. 9, par. 0083-0087; p. 10, par. 0088-0096; p. 11, par. 0100).

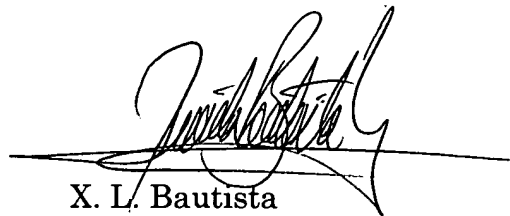
Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-

6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



X. L. Bautista
Primary Examiner
Art Unit 2179

xlh
July 8, 2006